

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

STRUDEL HOLDINGS LLC and  
AVR AH LLC,

Debtors.

Chapter 11

Case No. 23-90757 (CML)

(Jointly Administered)

**JOINT STIPULATION TO STAY BRIEFING SCHEDULE**

Nineteen77 Capital Solutions A LP and Bermudez Mutuari, Ltd. (together, the “Lenders”), Wilmington Trust National Association, in its capacity as Administrative Agent (the “Administrative Agent” and together with the Lenders, the “Secured Parties”), Charif Souki (“Souki”) in his individual capacity, and Karim Souki, Christopher Souki, and Lina Souki Rizzuto, as trustees of the Souki Family 2016 Trust (the “Trust”) and AVR AH LLC and Strudel Holdings LLC (collectively “the Debtors,” and together with Souki and the Trust, the “Loan Parties”), by their attorneys, stipulate as follows:

WHEREAS, on August 21, 2023, the Secured Parties filed a Motion for Summary Judgment in Lieu of Complaint under CPLR § 3213 (“Motion for Summary Judgment”) in *Nineteen77 Capital Solutions A LP et. al. v. Charif Souki et. al.*, Case No. 654043/2023 (the “New York State Action”).

WHEREAS, the Loan Parties’ response in opposition to the Motion for Summary Judgment in the New York State Action is currently due on September 25, 2023.

WHEREAS, on September 9, 2023, the Debtors filed a Motion to Extend Stay to Non-Debtor Affiliates in the case *In re: Strudel Holdings LLC and AVR AH LLC*, Case No. 23-90751 (the “Bankruptcy Action”).

WHEREAS, the Secured Parties' objection to Motion to Extend Stay to Non-Debtor Affiliates in the Bankruptcy Action is currently due on October 2, 2023.

WHEREAS, on September 9, 2023, the Loan Parties removed the New York State Action.

WHEREAS, on September 9, 2023, the Loan Parties filed a Motion to Transfer Venue in the removed New York Action in *Souki et al v. Nineteen77 Capital Solutions A LP et al*, Case No. 1:23-cv-07982 (the "Federal Action").

WHEREAS, the Secured Parties' opposition to the Motion to Transfer Venue in the Federal Action is currently due on September 26, 2023.

WHEREAS, the Secured Parties' deadline to file a Motion to Remand in the Federal Action is currently October 10, 2023.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the Secured Parties and the Loan Parties, that:

1. The pending briefing schedules on the Motion for Summary Judgment and Motion to Extend Stay to Non-Debtor Affiliates are stayed pending an Order from the Southern District of New York in response to the Motion to Transfer Venue or the Motion to Remand.

2. The Loan Parties' deadline to oppose the Motion for Summary Judgment shall be extended to fourteen (14) days after the Southern District of New York has ruled on the Motion to Transfer Venue or the Motion to Remand.

3. The Secured Parties' deadline to object to the Motion to Extend the Stay to Non-Debtor Affiliates shall be extended to fourteen (14) days after the Southern District of New York has ruled on the Motion to Transfer Venue or the Motion to Remand.

This stipulation is made without prejudice to any party's positions with respect to either motion.

Dated: September 21, 2023  
New York, New York

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